K 1949

File No. O. Mines/49

Legal Department

A BRANCH

Subject:— Opinions under the Indian Mines Rules 1941

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File No. OMines/49

C O N T E N T S.

Legal Department File No. O. Mines /49.

Sr. No.	R.I. /O. NO.	Subject.	Pages.
		Indian Mines Rules, 1941.	
1.	O. No. 2821, 11.3.49.	Whether the transfer of the land by M/S Sonawala & Co. to Mr. Varde is valid and whether Mr. Varde is entitled to possession of the same. - - - - - -	1-8.

L.M.D./6-6

Office of the R.L.A.

The land was acquired by the Darbar for Messrs. Sonawala & Co. who paid the entire cost of acquisition, entered into possession and had the same transferred to their name in the public records. The Darbar treated Messrs. Sonawala & Co. as the absolute owners of the land; and even at the time of Dr. Marathe's application for a prospecting licence in 1941, had expressed willingness to reacquire the land and not merely to resume its possession. In the absence of any condition limiting ~~x~~ the grant Messrs. Sonawala & Co; were entitled to sell the land and Mr. Varde has (on the assumption that the transaction of ~~xhexkaax~~ sale has been completed) be become the absolute owner of the right title and interest of Messrs. Sonawala & Co. in the said land.

Although he may have been carrying on prospecting operations, since, Dr. Marathe originally was and continues to be a mere licensee from Messrs. Sonawala & Co. he cannot have any better legal title to the land than Mr. Varde who is the successor-in-title of Messrs. Sonawala & Co.

Sd/- P.M.Lad.
10.3

Remembrancer of Legal Affairs.

U.R. to R.D., No. 2821, dated the 11th March 1949.

V.M.D./6-6
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